



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

February 6, 2020

Kristen B. Knox
Regulatory Affairs Manager
Nippon Soda Co. Ltd.
c/o Nisso America Inc.
88 Pine Street, 14th Floor
New York, NY 10005

Subject: PRIA Label Amendment –Amend the label to add a crop group expansion for rapeseed subgroup 20A and revise seed bag tag language

Product Name: Assail 50 FS Insecticide Seed Treatment
EPA Registration Number: 8033-95
Application Date: 10/17/2018
Decision Number: 545344, 545345, 545346

Dear Ms. Knox:

The application referred to above, submitted under the Federal Insecticide, Fungicide and Rodenticide Act, as amended is acceptable under FIFRA sec 3 (c)(5). You must submit and/or cite all data required for registration/registration review of your product when the Agency requires all registrants of similar products to submit such data.

A stamped copy of your labeling is enclosed for your records. This labeling supersedes all previously accepted labeling. You must submit one (1) copy of the final printed labeling before you release the product for shipment with the new labeling. In accordance with 40 CFR 152.130(c), you may distribute or sell this product under the previously approved labeling for 18 months from the date of this letter. After 18 months, you may only distribute or sell this product if it bears this new revised labeling or subsequently approved labeling. "To distribute or sell" is defined under FIFRA section 2(gg) and its implementing regulation at 40 CFR 152.3.

Should you wish to add/retain a reference to the company's website on your label, then please be aware that the website becomes labeling under the Federal Insecticide Fungicide and Rodenticide Act and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) list examples of statements EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product's label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore, should the Agency find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA's Office of Enforcement and Compliance.

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Your release for shipment of the product constitutes acceptance of these conditions. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6. If you have any questions, please contact Paul Di Salvo by phone at 703-347-0322, or via email at disalvo.paul@epa.gov.

Sincerely,

A handwritten signature in blue ink that reads "Meredith F. Laws". The signature is written in a cursive, flowing style.

Meredith F. Laws, Chief
Invertebrate and Vertebrate Branch 3
Registration Division (7505P)
Office of Pesticide Programs

Enclosure: Stamped Label

Acetamiprid	GROUP	4A	INSECTICIDE
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ASSAIL[®] 50 FS Insecticide Seed Treatment

ACTIVE INGREDIENT: Acetamiprid..... 40% by wt.
OTHER INGREDIENTS: 60% by wt.
TOTAL: 100% by wt.

Contain 4.2 pounds of active ingredient per gallon

EPA Reg. No. 8033-95

EPA Est. No.

KEEP OUT OF REACH OF CHILDREN CAUTION

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle.
(If you do not understand the label find someone to explain it to you in detail.)

For MEDICAL and TRANSPORTATION Emergencies ONLY Call CHEMTREC: 1-800-424-9300
For PRODUCT USE Information Call 1-212-490-0350

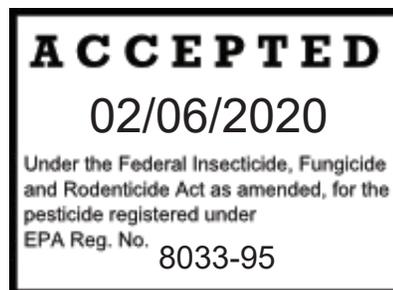
FIRST AID

IF SWALLOWED:	<ul style="list-style-type: none">Immediately call a poison control center or doctor for treatment advice.Do not induce vomiting unless told to do so by a poison control center or doctor.Have person sip a glass of water if able to swallow.Do not give anything by mouth to an unconscious person.
IF IN EYES:	<ul style="list-style-type: none">Hold eye open and rinse slowly and gently with water for 15 – 20 minutes.Remove contact lenses, if present, after the first 5 minutes, then continue rinsing.Call a poison control center or doctor for treatment advice.
IF ON SKIN OR CLOTHING:	<ul style="list-style-type: none">Take off contaminated clothing.Rinse skin immediately with plenty of water for 15 – 20 minutes.Call a poison control center or doctor for treatment advice.
IF INHALED:	<ul style="list-style-type: none">Move person to fresh air.If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible.Call a poison control center or doctor for treatment advice.
For MEDICAL Emergencies Call CHEMTREC: 1-800-424-9300	
Have the product container or label with you when calling a poison control center or doctor or going for treatment.	
NOTE TO PHYSICIAN: There is no specific antidote. All treatment should be based on observed signs and symptoms of distress in the patient. Overexposure to materials other than this product may have occurred.	

Net Contents: _____

Batch No. _____

Nippon Soda Co., Ltd
c/o Nisso America Inc.
379 Thornall Street, 5th Floor
Edison, NJ 08837



PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS and DOMESTIC ANIMALS

CAUTION: Harmful if swallowed, inhaled, or absorbed through the skin. Causes moderate eye irritation. Avoid contact with skin, eyes, or clothing. Avoid breathing vapor or spray mist. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Keep out of reach of children and domestic animals.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Applicators and other handlers must wear a long-sleeved shirt plus long pants, chemical resistant gloves made of the following waterproof material: nitrile rubber \geq 14 mils, neoprene rubber \geq 14 mils, barrier laminate, polyvinyl chloride (PVC) \geq 14 mils, or viton \geq 14 mils, and shoes plus socks. Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them. Follow manufacturer's instructions for cleaning/maintaining PPE. If there are no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

ENGINEERING CONTROLS STATEMENT

When handlers use closed systems in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240(d)(4-6)], the handler PPE requirements may be reduced or modified as specified in the WPS.

ENVIRONMENTAL HAZARDS

Do not apply this product or seed treated with this product directly to water, or to areas where surface water is present or to intertidal areas below the mean highwater mark. Do not contaminate water when disposing of equipment washwater or rinsate. Do not contaminate water used for irrigation or domestic purposes. Exposed treated seed may be hazardous to birds and other wildlife. Dispose of all excess treated seed and seed packaging by burial away from bodies of water.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in any manner inconsistent with its labeling.

Read entire label before using this product.

Only protected handlers may be in the area during application of the product to the seed. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR par 170. This Standard contains requirements for the protection of agricultural workers on farms, forest, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE) and restricted-entry interval (REI). The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the REI of 12 hours. Exception: If the seed is treated with the product and the treated seed is soil-injected or soil-incorporated, the Worker Protection Standard, under certain circumstances, allows workers to enter the treated area if there will be no contact with anything that has been treated.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water is: long-sleeved shirt plus long pants, chemical resistant gloves, and shoes plus socks.

COMPATIBILITY

It is recommended that compatibility be verified by mixing all premix components (premeasured at or near planned application rates) into a small jar prior to mixing larger quantities in commercial applicator equipment. After shaking or mixing, the contents should be homogeneous and there should be no signs of agglomeration, separation, or other obvious indication of incompatibility.

RESISTANCE MANAGEMENT

For resistance management, ASSAIL 50 FS Insecticide Seed Treatment contains a Group 4A insecticide. Any insect population may contain individuals naturally resistant to ASSAIL 50 FS Insecticide Seed Treatment and other Group 4A insecticides. The resistant individuals may dominate the insect population if this group of insecticides are used repeatedly in the same fields. Appropriate resistance management strategies should be followed. The use of ASSAIL 50 FS Insecticide Seed Treatment should conform to resistance management strategies established for the use area. Consult your agricultural advisor, University contact or Extension Service for recommended pest management practices for your area.

APPLICATION INSTRUCTIONS

ASSAIL 50 FS Insecticide Seed Treatment

Rapeseed, Canola and Mustard Seed (from crop subgroup 20A)

Pests Controlled	Rate; fluid ounces / 100 lbs seed	Rate; lbs. a.i. / 100 lbs seed
Flea beetles	7.7* – 15.4**	0.25* – 0.50**
	* for early season control of flea beetles ** for extended protection from flea beetles	

APPLICATION:

Note: The purchaser of this product is responsible for ensuring that all seed treated with this product is adequately dyed with a suitable color to prevent its accidental use as food for man or feed for animals. Refer to 21 CFR, part 2.25. Any dye added to the treated seed must be cleared for use under 40 CFR.

Seed should be well conditioned and free of chaff before treating with ASSAIL 50 FS Insecticide Seed Treatment. Treated seed should not require drying after treatment and can be stored or bagged immediately. Add ASSAIL 50 FS Insecticide Seed Treatment to seed slowly in a calibrated treating equipment system to ensure proper rates. Thorough seed coverage is required.

USE RESTRICTIONS AND PRECAUTIONS for RAPESEED, CANOLA and MUSTARD SEED:

- For use only in commercial seed treatment facilities and all treated seeds must be dyed (see method of application).
- Do not use in hopper box, planter box, slurry box or other seed treatment equipment applications at, or immediately before, planting.
- Store treated seed in cool, dry conditions
- Only spring planted rapeseed, canola and mustard seed can be treated. Do not treat fall planted seed.
- Do not store ASSAIL 50 FS Insecticide Seed Treatment near feed or foodstuffs.
- Do not contaminate feed or foodstuffs.
- Do not contaminate domestic or irrigation waters.
- Do not graze crop from treated seed.
- Do not plant more than 6.0 pounds of treated seed per acre. Do not use a seed treatment rate that will result in more than 0.03 lbs acetamiprid per acre per year.
- Do not make any subsequent application of acetamiprid-containing products following an ASSAIL 50 FS Insecticide Seed Treatment.

Rapeseed, Canola and Mustard SEED CONTAINER LABELING:

Treated seed must be labeled in accordance with the requirements of the Federal Seed Act. Bags containing treated seeds must be labeled with the following information:

This seed has been treated with ASSAIL 50 FS Insecticide Seed Treatment (acetamiprid) at a rate of up to 0.02 mg a.i./seed*. Do not use for food, feed, or oil purposes. User is responsible for ensuring that the seed bag meets all requirements under the Federal Seed Act. Do not make any subsequent application of acetamiprid-containing products following an ASSAIL 50 FS Insecticide Seed Treatment.

Store away from foods and feeds. Exposed treated seeds may be hazardous to birds and other wildlife. Dispose of all excess seed by burial away from bodies of water. Thoroughly clean auger after handling treated seed before using same auger for handling commercial or feed grains. Leftover treated seed should not be stored where there is a chance of it becoming mixed with untreated seed. Store treated seed in cool, dry conditions. Unused or leftover treated seed which is intended to be stored and used in the following season should have the germination and seedling vigor confirmed prior to planting.

*Based on the maximum rate of 0.5 lb ai/100 lbs. seed and a seeding rate of 6 pounds per acre with 100,000 seeds per pound.

Potato (seed piece treatment)

Pests Controlled	Rate fluid ounces / 100 lbs seed	Rate fluid ounces / Acre**
Aphids Colorado potato beetle Flea beetles Leafhoppers Potato psyllid Wireworms (seed piece protection)	0.2 – 0.3* *Use the higher rate for heavy pest pressure situations or extended period of control	4.0 – 6.0 **Based on a rate of 2000 lbs potato seed/Acre.

APPLICATION

Apply ASSAIL 50 FS Insecticide Seed Treatment in a dilute spray onto seed pieces using a spray system equipped with shields. Dilute in a 3:1 ratio (or less) of water to ASSAIL 50 FS Insecticide Seed Treatment. Maintain agitation of the solution during spraying. Fungicides or absorbent inert dusts may be applied following application of ASSAIL 50 FS Insecticide Seed Treatment. Only apply in areas with adequate ventilation or in areas designed to remove airborne particles or mists.

USE RESTRICTIONS AND PRECAUTIONS for POTATO SEED PIECE TREATMENT:

- Do not make any subsequent application of acetamiprid-containing products following an ASSAIL 50 FS Insecticide Seed Treatment.
- Do not use more than 9.0 fluid ounces of ASSAIL 50 FS (0.3 lb AI) per acre per year .
- Do not use treated seed pieces for food, feed, or fodder.
- Do not contaminate food or feedstuffs.
- Do not store ASSAIL 50 FS Potato Seed Piece Insecticide near feed or foodstuffs.
- Do not contaminate domestic or irrigation waters.

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal.

PESTICIDE STORAGE

Do not store in or around the home. Store unused product in a cool, ventilated, dry, locked area. Do not allow prolonged storage in where temperatures exceed 115°F (46°C). NEVER TRANSFER THIS PRODUCT TO ANOTHER CONTAINER FOR STORAGE.

PESTICIDE DISPOSAL

Contamination with this product will render water, food or feed unfit for human or animal consumption. Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

CONTAINER DISPOSAL

NEVER REUSE EMPTY CONTAINERS. Completely empty container into application equipment.
(Note to reviewer: One of the three options below will be on the final container label, depending on packaging material.)

DISPOSAL FOR NON-RETURNABLE CONTAINERS. After use, rinse the emptied container and then dispose of empty container in a sanitary landfill or by incineration.

DISPOSAL FOR RETURNABLE-REFILLABLE CONTAINERS: After use, return container to the point of purchase or designated locations. This container must only be refilled with ASSAIL 50 FS Insecticide Seed Treatment. Do not reuse container for any other purpose. Prior to refilling inspect thoroughly for damage such as cracks, punctures, abrasions, and damaged or worn out threads on the closure devices. Check for leaks after refilling and before transportation. Do not refill or transport damaged or leaking containers. If the container is not being refilled, return to the point of purchase.

DISPOSAL FOR RETURNABLE CONTAINERS: After use, return container to the point of purchase or designated locations. Do not reuse container for any other purpose.

WARRANTY AND DISCLAIMER

Nippon Soda Co., Ltd. warrants that this material conforms to the chemical description on the label and is reasonably fit for the purposes referred to in the Directions for Use, subject to the risks referred to therein. TO THE EXTENT ALLOWED BY APPLICABLE LAWS, NIPPON SODA CO., LTD. MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF FITNESS OR MERCHANTABILITY OR ANY OTHER EXPRESS OR IMPLIED WARRANTY. IN NO CASE SHALL NIPPON SODA CO., LTD. OR SELLER BE LIABLE FOR CONSEQUENTIAL, SPECIAL OR INDIRECT DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT INCLUDING, BUT NOT LIMITED TO, LOSS OF PROFITS, BUSINESS REPUTATION, OR CUSTOMERS; LABOR COST, OR OTHER EXPENSES INCURRED IN PLANTING OR HARVESTING.

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